

BEFORE THE KANSAS STATE BOARD OF PHARMACY  
900 SW JACKSON, STE. 560  
TOPEKA, KS 66612-1597

IN THE MATTER

OF

KATIE SUROWSKI, R.Ph.  
RESPONDENT

Case No. 07-52

CONSENT ORDER

NOW, on this 12th day of December, 2007, the captioned case comes before the Kansas State Board of Pharmacy (Board) by agreement of Respondent, Katie Surowski, for the purpose of resolving this matter. The Board appears by Derenda J. Mitchell, Assistant Attorney General. Katie Surowski appears in person. The Board, upon mutual consent of the Respondent, finds as follows:

1. Respondent currently holds a pharmacist license number 1-13879.
2. The Board has jurisdiction over Respondent and is authorized to enter into this Consent Order in all respects.
3. Respondent admits to violations of the provisions of the Pharmacy Act of the State of Kansas, K.S.A. 65-1626 et seq., and of the rules and regulations of the Board, promulgated at K.A.R. 68-1-1a et seq.
4. Respondent was caught with narcotics at her work at the Wal-Mart pharmacy in Junction City, Kansas.
5. Respondent admits to "taking" Loritabs from her employer to ease the pain from migraines.

6. "Unprofessional conduct" means the unlawful possession of drugs and unlawful diversion of drugs to others. K.S.A. 65-1626(hh).

9. K.S.A. 65-1627(a)(3) provides for discipline for unprofessional conduct.

10. K.S.A. 65-1627(a) authorizes the Board to revoke, suspend, place in a probationary status, or deny a renewal of any license of any pharmacist for violations of K.S.A. 65-1627(a)(3).

11. Respondent is subject to discipline for unprofessional conduct.

12. In addition, the Board may issue a civil fine for violation of the provisions K.S.A. 65-1627 in an amount not to exceed \$5,000 for each violation.

13. In order to avoid the expense of a full adjudicatory hearing and to avoid the possibility of discipline greater than that issued herein, Respondent voluntarily enters into this agreement.

14. Respondent understands and waives all rights to notice, a hearing, an adjudication of facts and law, or any manner of review or reconsideration of the findings made herein.

15. Respondent further agrees and waives any right to review, reconsideration, appeal, or modification of any findings.

16. The Board retains the full right to discipline Respondent for any and all violations of the Kansas Pharmacy Act and any regulations promulgated thereunder.

17. Respondent consents to this Consent Order and understands that it is a final order of the Board, without rights of review, reconsideration, appeal or modification or to a formal notice of hearing.

18. In order to comply with this Consent Order, Respondent must first sign and return the Consent Order with her signature affixed to the Consent Order.

19. Respondent appeared personally at the Board's December 12, 2007 meeting and verbally promised to comply with the terms of this order.

20. The Board approved the consent order in reliance on her verbal assurances and promises to comply.

21. Respondent agrees to be under probation for a period of five years to conclude on December 12, 2012.

22. Respondent further agreed and has entered into an evaluation and treatment program as directed from time to time by the Committee on Impaired Pharmacy Practice (CIPP) and as approved from time to time by the Board and shall continue to cooperate fully with the recommendations and requirements of the persons managing or implementing the CIPP or as required by the Board.

23. Respondent understands and agrees that participation in the CIPP is totally at Respondent's expense.

24. Respondent further agrees that she will participate in the CIPP program from December 12, 2007 to December 12, 2012.

23. Respondent further agrees that during her probation from December 12, 2007 to December 12, 2012 she will refrain from ever serving as a pharmacist in charge.

24. Respondent further agrees that during her probation from December 12, 2007 to December 12, 2012, she will cease and desist from ever working alone in a pharmacy.

25. Respondent agrees that if the Board receives any report showing that Respondent is out of compliance with any of the terms of this consent order, the Board, in its sole discretion, without the necessity of a hearing, may order Respondent to be restricted from dispensing any prescription in Kansas for the entirety of the period of probation or during the part of the probationary period remaining after the Board receives the report of non-compliance.

26. The Respondent further agreed that the CIPP and any provider who evaluates or treats Respondent during her probation shall provide full and complete access to any and all records and documentation regarding Respondent's participation in any treatment program.

27. Respondent agreed and waived any right of hearing, appeal, notice, modification, reconsideration or review of any kind in this matter.

28. Respondent agreed and waived any right of privilege or confidentiality in the records submitted to or requested by the Board about Respondent and her involvement in with the CIPP or any provider treating Respondent through the CIPP.

29. Respondent agreed and it is hereby ordered that should the Board determine, in good faith, but in its sole and exclusive discretion, that the Respondent fails to comply with this order that the Board may initiate any proceeding authorized by law to discipline Respondent for his actions leading up to this order or any future actions.

WHEREFORE, THIS VOLUNTARY ORDER IS HEREBY MADE THE FINAL ORDER OF THE BOARD effective on the date indicated in the certificate of service.

Entered in Shawnee County, Kansas, December 12, 2007.

\_\_\_\_\_  
Chair, Kansas Board of Pharmacy

Approved by :

  
\_\_\_\_\_  
Katie Surowski

7/1/2008  
\_\_\_\_\_  
Date

**Certificate of Service**

This is to certify that on the \_\_ day of \_\_\_\_\_, 2008, a true and correct copy of the above and foregoing was sent by regular first-class mail, postage prepaid, addressed to:

Katie Surowski  
1836 Cassell Road  
Manhattan, Kansas 66502


Derenda Mitchell  
Assistant Attorney General  
Memorial Building  
120 SW 10<sup>th</sup> Street  
Topeka, KS 66612  
Disciplinary Counsel to the Board

Randall Forbes  
General Counsel to the Board  
Frieden and Forbes  
555 S. Kansas Ave.  
Topeka, KS 66601

\_\_\_\_\_  
On Behalf of the Board

  
Chair, Kansas Board of Pharmacy

Approved by :

  
Katie Surowski

6/13/08  
Date

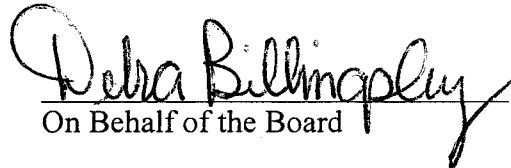
**Certificate of Service**

This is to certify that on the 9 day of July, 2008, a true and correct copy of the above and foregoing was sent by regular first-class mail, postage prepaid, addressed to:

Katie Surowski  
1836 Cassell Road  
Manhattan, Kansas 66502

Derenda Mitchell  
Assistant Attorney General  
Memorial Building  
120 SW 10<sup>th</sup> Street  
Topeka, KS 66612  
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